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ATTORNEYS FOR PLAINTIFFS

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Frank Foster, Phillip Wamock,  
individually, on behalf of all others  
similarly situated, and on behalf of the  
general public,

Plaintiffs,

vs.

Nationwide Mutual Insurance Company,  
Defendant.

Case No.: C3:07-CV-4928 SI

**DECLARATION OF MATTHEW H.  
MORGAN IN SUPPORT OF  
PLAINTIFFS' MEMORANDUM OF  
LAW IN OPPOSITION TO  
DEFENDANT'S MOTION TO  
TRANSFER VENUE PURSUANT TO 28  
U.S.C. § 1404(A).**

I, Matthew H. Morgan, hereby declare:

1. I am an associate at the law firm of Nichols Kaster & Anderson, PLLP, one of the attorneys for the Plaintiffs herein, and an attorney in good standing with the State Bar of Minnesota. I am admitted *pro hac vice* for this case. I make this declaration based on my knowledge and information concerning this case and in support of Plaintiffs' Memorandum of Law in Opposition to Defendant's Motion to Transfer Venue pursuant to 28 U.S.C. § 1404(A).

2. At the present time, there are sixteen Plaintiffs who have filed consents to join

1 this lawsuit in this manner – 4 in California, 1 in Arizona, 1 in Arkansas, 1 in Georgia, 2 in  
2 Missouri, 1 in Mississippi, 1 in Nevada, and 5 in Texas.

3 3. Frank Foster, the first Plaintiff to commence the above entitled action, lives and  
4 works for Defendant in the Northern District of California.

5 4. Attached as **Exhibit A** is a true and correct copy of a page from Allied  
6 Insurance's website which states that it maintains regional offices in Sacramento, Camarillo and  
7 Law Mesa, California.

8 5. Attached as **Exhibit B** is a true and correct copy of selected pages of Defendant's  
9 Memorandum in Opposition to Plaintiffs' Motion for Leave to Amend the Complaint in Lynch  
10 v. United Services Automobile Ass'n, 1:07-cv-562-CM-KNF (S.D.N.Y.), Dkt. 79, pp. 7-10.

11 6. Attached as **Exhibit C** is a true and correct copy of United States District Court  
12 Judicial Caseload Profile for the Southern District of Ohio and the Northern District of  
13 California.

14  
15 I declare under penalty of perjury under the laws of the United States of America that the  
16 foregoing is true and correct.

17  
18 Dated: November 16, 2007

s/Matthew H. Morgan

Matthew H. Morgan